

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:** Friend et al.

**Application No.** 09/334,328

**Patent No.** 6,218,122

**Filed:** June 16, 1999

**Confirmation No.** 5212

**For:** METHODS OF DIAGNOSING DISEASE  
STATES USING GENE EXPRESSION  
PROFILES

**Examiner:** Stephen C. Siu

**Art Unit:** 1631

**Attorney Reference No.** 3382-83976-02

**POWER OF ATTORNEY BY ASSIGNEE, REVOCATION OF PRIOR POWERS,  
AND CHANGE OF CORRESPONDENCE ADDRESS  
ACCOMPANIED BY A STATEMENT UNDER 37 C.F.R. 3.73(b)**

COMMISSIONER FOR PATENTS  
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The Assignee hereby revokes any prior powers of attorney for this matter, and appoints practitioners associated with **Customer Number 26119** to transact all business in the U.S. Patent and Trademark Office connected with the referenced application and all continuations and divisional thereof, including, but not limited to the following:

U.S. Patent Application No. 09/783,474, now Patent No. 6,973,388

Microsoft Corporation is the assignee of the entire right, title and interest of the patent application as evidenced in an assignment from the named inventors. A Statement Under 37 C.F.R. 3.73(b) is submitted herewith.

Please address all correspondence to **Customer Number 26119** at:

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Please update the Attorney Reference No. for this application to 3382-83976-02.

The undersigned is authorized to sign this Power of Attorney by Assignee on behalf of the assignee.

Executed at Redmond, WA on the 22<sup>nd</sup> day of October, 2009.  
(city and state)

Microsoft Corporation

By 

Name D. Bartley Eppenhauer

Title Assistant Corporate Secretary

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**STATEMENT UNDER 37 CFR 3.73(b)**

Microsoft Corporation, a corporation states that it is:

☒ the assignee of the entire right, title, and interest for the above patent, and all continuations/divisional, including the following: U.S. Patent Application 09/783,474, now Patent No. 6,973,388.

☒ A chain of title from the inventor(s), to the current assignee of the patent application/patent identified above, as follows:

1. From: Stephen H. Friend, and Roland Stoughton To: Rosetta Inpharmatics, Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel 010312 , Frame 0699.
2. From: Rosetta Inpharmatics, Inc. To: Rosetta Inpharmatics LLC  
The document was recorded in the United States Patent and Trademark Office at Reel 018837, Frame 0667.
3. From: Rosetta Inpharmatics, Inc. To: Rosetta Inpharmatics LLC  
The document was recorded in the United States Patent and Trademark Office at Reel 020299, Frame 0090.
4. From: Merck & Co., Inc., and Rosetta Inpharmatics LLC To: Microsoft Corporation  
The document was recorded in the United States Patent and Trademark Office at Reel 023355, Frame 0522.

☒ As indicated above, the documentary evidence of the chain of title from the original owner to the assignee has already been submitted for recordation pursuant to 37 C.F.R. 3.11.

☒ The undersigned is authorized to sign this statement on behalf of the assignee.

Executed at Redmond, WA on the 22<sup>nd</sup> day of October, 2009.  
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Microsoft Corporation

By 

Name D. Bartley Eppenaue

Title Assistant Corporate Secretary